

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Berens et al.

Appl. No.: 09

852,053

Series Code ↑

Serial No. ↑

Filed: May 10, 2001

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

**REPLY/AMENDMENT/LETTER**

Group Art Unit 1652

Examiner: Fronda, C. L.

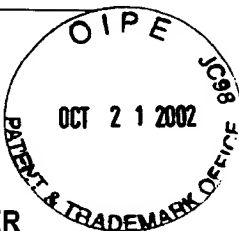
Atty. Dkt. P

280248

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M#

Client Ref

Appl. Title: Corynebacterium glutamicum strain with  
enhanced secretion activity

Date: October 21, 2002

**RECEIVED**  
 OCT 22 2002  
 TECH CENTER 1600/2900

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

## 1. Small Entity claim

A. ☒ NOT madeB. ☐ WithdrawnC. ☐ made herewithD. ☐ made previously

For B &amp; C

See **Required****Separate Paper**

(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	9	**minus 0 0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	1	***minus 0 0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) ..... add			+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: October 23, 2002	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (4 mos) (5 mos)	\$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720 = \$1,960/\$980 =	+ \$0		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0			
8.			Extension Fee	+ \$0	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....		+ \$110/\$55	+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c), ..... add		+ \$180	+ \$0		126
or if Rule 97(d) Request ..... add		+ \$180			126
11. After-Final Request Fee per rules 129(a) and 17(r) .....		+ \$740/370	+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b) .....		x \$740/370 ea	+ \$0		149/249
13. Request for Continued Examination (RCE) .....		+ \$740/370	+ \$0		1179/1279
14. Petition fee for .....			+ \$0		

TOTAL FEE =

\$0

**PLEASE CHARGE  
OUR DEP. ACCT**

Our Deposit Account No. 03-3975)

(Our Order No. 21123 280248

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP

Intellectual Property Group

By Atty: Thomas A. Cawley, Jr.

Reg. No. 40944

Sig:

Fax: (703) 905-2500

Tel: (703) 905-2144

P.O. Box 10500

McLean, VA 22102

Te: (703) 905-2000

Atty/Sec: TACJ/AMX

**NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

BERENS et al.

Group Art Unit: 1652

Appln. No.: 09/852,053

Examiner: Fronda, C. L.

Filed: May 10, 2001

Title: Corynebacterium glutamicum strain with enhanced secretion activity

October 21, 2002

\* \* \* \* \*

**RESPONSE TO RESTRICTION REQUIREMENT**

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

This is in response to a communication from the examiner, dated September 23, 2002, wherein the examiner required restriction to one of the following allegedly distinct inventions:

Group I: Claims 1-8, directed to a genetically modified bacterial strain  
Corynebacterium glutamicum.

Group II: Claim 9, directed to a protein with the sequence of SEQ ID No.:  
3 or SEQ ID No.: 4.

Group III: Claims 10-12, directed to a polynucleotide and plasmid.

Group IV: Claims 13-16, directed to the use of a bacterial strain for the  
production of the desired substance.

#12  
S.G.J  
10/28/02

TECH CENTER 1600/2900

OCT 22 2002

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Group V: Claim 17, directed to the use of a bacterial strain, a protein, a polynucleotide or a plasmid in a reporter system.

Group VI: Claims 18 and 19, directed to a reporter system.

**ELECTION**

The applicants elect, without traverse, for further prosecution on the merits the claims of Group I (claims 1-8).

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 

Thomas A. Cawley, Jr., Ph.D.

Reg. No.: 40,944

Tel. No.: (703) 905-2144

Fax No.: (703) 905-2500

TAC/amx  
1600 Tysons Boulevard  
McLean, VA 22102  
(703) 905-2000